

Bill No. CS for SB 2-B

Amendment No. ____ Barcode 174144

CHAMBER ACTION

Senate

House

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Senator Bennett moved the following **amendment to amendment**
(260896):

Senate Amendment (with title amendment)

On page 1, line 25, through
page 2, line 23, delete those lines

and insert:

(e)1. Any not-for-profit college, university, or
institution that has a medical, dental, or nursing school, or
any other academic program of medical education which is
accredited by any association, agency, council, commission, or
accrediting body recognized by this state as a condition for
licensure of its graduates, which has entered into an
affiliation agreement or a contract to allow its faculty,
health care professionals, practitioners, ancillary
caregivers, and employees to provide patient services to
hospital patients treated at a public hospital, such persons
and the medical school or program are considered to be agents
of the governmental entity for purposes of this section and
are immune from liability for torts in the same manner and to

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1 the same extent as the state and its agencies and subdivisions
2 while providing such patient services.

3 2. As used in this paragraph, the term:

4 a. "Patient services" means comprehensive health care
5 services as defined in s. 641.19(2), including related
6 administrative services, to patients of a public hospital and
7 the supervision of interns, residents, and fellows providing
8 patient services to patients of a public hospital and access
9 to participation in medical research protocols.

10 b. "Public hospital" means a statutory teaching
11 hospital or any other licensed or accredited health care
12 facility owned or used by the state or by a county,
13 municipality, public authority, special taxing district having
14 health care responsibilities, or other local governmental
15 entity or at other locations under contract with the
16 governmental entity.

17 3. Such an employee or agent of any not-for-profit
18 college, university, or institution that has a medical,
19 dental, or nursing school, or any other academic program of
20 medical education which is accredited by any association,
21 agency, council, commission, or accrediting body recognized by
22 this state as a condition for licensure of its graduates is
23 not personally liable in tort and may not be named as a party
24 defendant in any action arising from the provision of services
25 to patients in a public hospital, except as provided in
26 paragraph (9)(a).

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28 (Redesignate subsequent sections.)

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1 ===== T I T L E A M E N D M E N T =====

2 And the title is amended as follows:

3 On page 3, lines 2-4, delete those lines

4

5 and insert:

6 amending s. 768.28, F.S.; extending sovereign

7 immunity to certain persons providing patient

8 services in a public teaching hospital or

9 health care facility owned by a governmental

10 entity;

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